The United Nations and Practical Reform

By Ruth Wedgwood

The first caution in any program for reform of the world's most inclusive institution is not to shoot for the moon. Reform is the art of the possible, and the United Nations is not exempt from that basic truth. Reform efforts, like the institution itself, should avoid the snare of over-promising. A festooned bill of U.N. reform that promises hundreds of gifts pleasing to all comers will sink of its own weight.

A frank assessment of comparative advantage is also essential, figuring what the United Nations can do well, and what should be left to other modalities. At the end of the Cold War, there was perhaps a naïve moment of halcyon hopes, when it seemed easy to assume that the United Nations would provide the one and only mechanism needed to solve common problems. Since then, the difficulties of peacekeeping in Bosnia, Rwanda, and elsewhere have made plain the central role of nation states in providing for collective security. Reform agendas can suggest an international duty to protect against genocide, but realists must come to grips with the fact that few states offer to contribute their troops or invest in the military capability necessary for such missions.

We should, as well, take account of the public role of non-governmental organizations in providing information and disseminating the norms that bolster democracy and human rights. The number of international institutions has also grown, with other cooperative mechanisms for goal setting and monitoring in areas such as trade, banking, human rights norms, international health, and the alleviation of poverty. Regional institutions, private groups, and other forms of horizontal coordination, can operate without going through a single central node, and have new capabilities in an age of instant communications. The existence of a problem does not mean it has to be solved in Turtle Bay.

To be sure, there are also important advantages in the United Nations' universal membership and customary convening power. The United Nations can provide a quiet and convenient place for bilateral contacts, a neutral ground for negotiations, and a venue where the shape of the table is less of an obstacle. The United Nations continues to enjoy a moral prestige from its role in advancing the ideas of human rights and democracy after the Second World War. (Indeed, the phrase "United Nations" was first used in 1942 to refer to the fight against fascism, an alliance of stalwart states that protected the humanist tradition against a deadly threat.) The U.N. Charter still assigns a crucial power to the five former World War allies, as veto-wielding permanent members of the Security Council, and endows the Council with the extraordinary legal authority to impose sanctions and bind other states through decisions under Chapter 7. In less time-critical circumstances, the General Assembly serves as the major venue for framing multilateral treaties.

What then are the most urgent challenges for the United Nations' future as an effective organization?

Human Rights

Perhaps the most successful work of the United Nations has been normative, in reaffirming the sanctity of the human person. After the wreckage of the World War, it was crucial to restate, as a universal ideal, that individual human beings can never be sacrificed to an ideology of terror. In 1948, the General Assembly unanimously approved the Universal Declaration of Human Rights, restating the basic entitlements of human persons, and this resolution has taken on a larger-than-life significance. Specialized human rights treaties, such as the International Covenant on Civil and Political Rights, complement it.

It is thus lamentable that over the years, the Human Rights Commission of the United Nations, created to monitor country compliance, has become a carnival of political brickbats and histrionic debate. Its procedure for recognizing gross and systematic violations of human rights has been commandeered by countries with bad records. Commisson members are chosen through a system of regional political concessions , in which the countries take turns that hardly suggest themselves as natural leaders in this area.

The Secretary-General has proposed abolishing the Commission, and starting afresh with a Human Rights Council. Washington has wisely endorsed the idea. The symbolism of starting anew can help to recapture the idealism of post-war leaders such as Rene Cassin and Eleanor Roosevelt, and encourage greater attention to the productive work of technical assistance and institutional changes. Choosing members of a Human Rights Council by a two-thirds vote in the General Assembly may trim off some of the major spoilers. Certainly, using the recommendations of the treaty-monitoring committees (such as the Human Rights Committee, on which this writer serves) as the basis of the Council's work could provide a more neutral context for country assessments. The U.N. High Commissioner for Human Rights has a key role in setting the human rights agenda, and her capacity can be enhanced by greater budget

support. It is debatable whether a Human Rights Council should meet all-year-round, since it is hard to get national capitals to send high-level delegations for such a period of time. But it does pay to begin again when the ethos of an institution has fallen so far.

Democracy Caucus

One may also ask why a universal organization such as the United Nations should ever be reduced to a collection of regionalisms. Too often, decisions taken, and elections held at Turtle Bay can be explained by the practice of giving political concessions within regional caucuses. The United Nations gives this encouragement by promising appointments and places on a regional basis. It is a curious atavism. The British Commonwealth still stretches around the world, and other states share common languages and cultures, regardless of regional location. This testifies to the possibility of other ways of organizing the world.

One may wonder whether the role of democracy and constitutional government could be an equally powerful organizing principle within U.N. politics. The values held in common by democracies should serve to remind the members of a Democracy Caucus that they have particular obligations in how they use their political power in international settings. The United Nations needs to find a balance between the virtues of inclusiveness and a fidelity to its underlying values.

In the meantime, so long as regional groupings remain the locus for candidacies and caucusing, every state, including Israel, should be allowed membership in a regional group. The Western European and Others Group (known as WEOG) has a special responsibility in this regard, and members of the European Union have too often used the excuse of EU expansion or concerns about structural assistance to block this equitable step.

Transparency And Accountability

A third transformation to regain the United Nations' idealism is transparency and accountability. Elected representatives in a democracy like to see how taxpayers' funds are used. The monies paid to the United Nations – under the regular budgets set in the General Assembly, or in voluntary funding of agencies responsible for refugee aid, development, and children's health – are not immune from this concern. The United Nations needs to learn how to get along with modern legislatures, by making its operations as accountable and transparent as possible. The overall budget of the United Nations is set in the General Assembly, but the particular allocation of expenditures takes place in the obscurity of the Fifth Committe and a little-known "Advisory Committee on Administrative and Budgetary Questions." A legislator concerned about the adequacy of a peacekeeping operation will discover that neither the Secretary-General nor the head of mission is equipped to make the necessary reallocation of resources. And too often, the United Nations is tempted to parry legitimate legislative inquiries from the states that pay its bills, hoping to thread the needle of democracy by talking to an audience of ambassadors. The "democracy deficit" that afflicts the European Union is not a disease from which the United Nations can claim immunity.

Likewise, replenishing national financial support for the United Nations depends on fiscal accountability and the proper use of monies. It is disappointing that there is still no satisfactory assurance of the appropriate use of funds within the regular or peacekeeping budgets. The United Nations often has to spend money quickly, in remote places, to meet emergency situations, and real-time audits may be hard to come by. But one method of seeking accountability in modern bureaucracies is through an inspector general function. The United Nations Office of Internal Oversight Services (OIOS) serves as the U.N.'s substitute for an Inspector General, but even this office has been hamstrung by the General Assembly's unwillingness to allocate more than 10 investigators to monitor $11 billion in annual regular and voluntary funding. The OIOS needs to have a far larger investigative staff, professional training in audit and investigative techniques, and jurisdiction over all U.N.-funded and specialized agencies and peacekeeping missions. The inspector general reports should be available to all member states that have a legitimate interest, rather than withering without action inside the organization. This protects the Secretary-General, as well, from inappropriate pressures from states and their protégés. The audit and investigative functions need to have some professional independence from the tempests that can swirl through the General Assembly, the Economic and Social Council, and even the 38th floor.

Certainly the Oil-for-Food scandal shows the need for reasonable standards of financial disclosure and avoidance of conflicts of interest among program suppliers and the Secretariat staff. The programs and functions established by the Security Council in some of its more ambitious resolutions far outrun the oversight capability of Council members. An extraordinary investigative commission chaired by Paul Volcker, a former chairman of the U.S. Federal Reserve Board, has looked at some of the operations of the gargantuan Oil-for-Food Program. The commission has sounded the alarm about the wayward management of the multi-billion dollar Oil-for-Food program, including cases of corruption of U.N. staff. The output of the Volcker commission shows the need for some audit capability outside the regular Secretariat, and even the independent authority to propose criminal referrals. The work of the United Nations is too important, and monies are too scarce, to be undermined by any atmosphere of cronyism and family favors.

But like the "clock that struck thirteen," the piercing alarm of the Volocker commission's reports calls into question all that came before, when no one was watching. The output of the Volcker commission shows the need for some audit capabilities outside th regular Secretariat, and even perhaps the independent authority to propose criminal referrals. The work of the United

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Repairing The Personnel System

The personnel system of the United Nations is badly broken, and this too can hobble program performance and an adaptive organization. Reform-minded administrators have come and gone, throwing up their hands at the difficulty of changing the personnel restrictions imposed by the General Assembly. What is at stake is more than jobs. It is the search for the best of the United Nations staff -- finding people who value the United Nations' purposes, not its perquisites, who will stay past 5 o'clock, and who will fit procedures to the nature of the mission. Currently, the United Nations operates on a system of permanent contracts, but forbids anyone from taking the entry exam unless their nationality is "under-represented" in a particular specialty. The cut-off date is age 32, so even an extraordinarily brilliant graduate may be excluded by these rules. The system of permanent contracts is itself problematic, for it prevents the organization from hiring new staff with new skills. The United Nations has mandatory retirement at age 62, and one former personnel official mordantly remarked of this limit, "How else would we get rid of them?"

The United Nations should be able to recruit mid-career professionals from business and the public sector who can bring up-to-date practices and perspectives to the United Nations. In addition, the Secretary-General needs the authority to reassign staff to the most urgent programs of the organization, rather than keeping fixed and redundant positions. And a mission head needs to have some discretion to recruit key staff, and then be held accountable for the team's performance, rather than having staff randomly assigned. Not least, the United Nations must properly use the professional talents of women, and cure a working environment that is notorious for problems of sexual harassment, unequal assignments, and a failure to seek out suitable women candidates for leadership positions.

Peace-building Commission

Another institutional gap that needs repair is the problem of post-conflict transitions. Two highly effective U.N. agencies – the U.N. High Commissioner for Refugees and the World Food Program – are equipped to send emergency aid after a catastrophe or conflict. The U.N. Development Program can assist with long-term economic plans. But there is no agency assigned in the yawning gap between the emergency and the long-term. The idea of a Peace-Building Commission has been proposed as a locus for coordinating aid and rationalizing the contributions of NGOs and donor countries. Its leadership positions may also provide a useful incentive for country contributions. The creation of a Commission should be approached with caution, however, to make sure that it does not become another coordinator of coordinators – one of a plethora of U.N. agencies more attuned to score-keeping than to performance.

It is the United Nations' local effectiveness, rather than colloquies in New York, that matter most to people in need. Some of the United Nations' greatest contributions occur in the field, assisting in human emergencies through the relief agencies such as UNICEF, the World Food Program, the World Health Organization, and the High Commissioner for Refugees. In ongoing conflicts, the Secretary-General has appointed notable and creative "special representatives" from countries around the world, such as Algerian diplomat Lakhdar Brahimi and Peruvian diplomat Alvaro de Soto, to play key roles in working out peace settlements in conflict areas. The Peace Building Commission could complement their work.

Expanding The Security Council

Undoubtedly, the structure of the U.N. Security Council will remain a subject of perennial debate and interest among countries that seek visible political prominence. But it would be a snare and diversion to permit this topic to become the *sine qua non* of U.N. reform. There are some obvious problems with Council expansion. A larger Security Council will take longer to reach decisions, with debates running even later into the night. Intra-regional squabbling over the award of permanent seats can easily become a disruptive feature of U.N. politics, diverting attention from real crises.

In addition, expansion may change what decisions can be taken by the Council. Some of the states seeking membership have been reluctant to use military force for any purpose, and others oppose intervention in civil war conflicts on grounds of state sovereignty. Without a mandate, the organization cannot deploy peacekeepers, and countries will often cast their votes in accord with their own calculation of national interest.

Thus, tinkering with the Council's structure may fall prey to the law of "unintended consequences"—and end up weakening the United Nations' capacity to act. Democratic states that can take effective action, on their own—in situations of moral or practical urgency—may be less inclined to refer issues to a Security Council that is hamstrung by indecision or divided views. Ironically, Council expansion could weaken effective multilateral action, and thus must be carefully assessed.

In Sum

The improvement of U.N. operations may be aided by the headlines that surround the organization. The decade of the 1990's showed the tragic consequences of ineffective peacekeeping operations. The terrorist attacks in New York, Washington, Istanbul, Bali, Beslan, London and Madrid, show the high stakes in controlling the spread of weapons of mass destruction. The compelling vista of poverty in the world, and the link between good governance and economic growth, makes plain the central-

ity of protecting human rights and democracy. The Oil for Food controversy shows that high fiduciary standards are necessary to maintain confidence and support.

But multilateral organizations, like other social groupings, exist in a competitive environment. Like any other 60-year-old, the United Nations must stay in shape and limit its diet in order to remain *primus inter pares*.

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